

**IN THE CIRCUIT COURTS OF THE
NINTH WEST JUDICIAL DISTRICT OF ARKANSAS**

ADMINISTRATIVE PLAN

In accordance with Administrative Order Number 14, our Administrative Plan for handling cases in Ninth West Judicial District is submitted as follows:

PREAMBLE

The Ninth West Judicial District consists of four counties: Howard, Little River, Pike and Sevier. There are two judges serving this district, Judge Tom Cooper, Division one, and Judge Charles A. Yeargan, Division two.

ASSIGNMENTS

Each judge will hear all types of cases.

Until the Administrative Office of the Courts can provide a computerized method for random assignment of cases the Clerks shall use colored marbles or markers to ensure random selection.

The Clerk is directed not to draw a colored marker to determine which division the case will be assigned until such time as the file mark of the clerk has been affixed and shall not draw more than one marker at a time. The Clerk making the draw from the container shall not look at the markers or marbles to be drawn but is to make the draw in the blind. The Clerk is prohibited from making the division assignment known until the colored marker designating the division has been drawn and the number has been affixed to the pleading initiating the case.

The Clerk is to maintain a separate criminal, civil, domestic relations, probate and juvenile docket for each of the respective divisions.

Each Clerk shall affix a stamp to the pleadings designating which judge has been assigned to the case so the attorneys will know who to contact for a setting. In addition, the Clerks shall place the number one (1) or two (2) at the end of every case number to designate Division One or Two. The only exception to this procedure is where there are multiple criminal defendants with different file numbers, wherein the judge that takes the first case will handle all subsequent files of co-defendants regardless of the assignment. Likewise, similar type case or cases that have some relationship with each other will be heard by the same judge.

PROCEDURE FOR HEARING CASES

Judge Cooper will set his criminal cases for jury trials in even numbered months and Judge Yeargan will set his criminal cases in odd numbered months in order to allow the prosecuting attorney to be present at all criminal jury trials. Civil jury trials are set by the presiding judge on

whatever days are available that will not conflict with any cases set by the other judge.

As a normal rule each judge will travel the circuit to all four counties during one week, and then the other judge will travel the same route the next week. This allows a judge to be in each one of the four counties at least twice a month with the exception where there are scheduling problems due to holidays and continuing education classes.

Each time a jury trial is set the trial court assistants shall contact each other to notify the other judge of any setting so there will not be any conflicts concerning the use of the courtroom on the same day.

On regular court dates either judge may hear uncontested matters regardless of the designation.

A judge who signs an ex-parte domestic abuse protective order normally sets the temporary hearing for the next regular date regardless of designation.

In juvenile matters, the juvenile intake officer mails notices for juveniles to appear on a regular court date. If they should plead true, the judge for the first appearance will dispose of the matter. If they plead not true then, the judge will set this matter according to the random designation.

DRUG COURT

Judge Yeargan will preside over the drug court for the Ninth West Judicial District held in Howard County.

CALENDAR

A calendar is printed each year around September setting forth the regular court dates for the upcoming year where the judges will appear and hear all types of cases, including drug court, divorces, probate, juvenile, criminal arraignments, pre-trials, criminal jury trials, and non-jury matters. The judges alternate each year letting one judge pick his court dates first and then the other judge will select his dates. Judge Yeargan has odd numbered years and Judge Cooper will have even.

CONFLICTS/RECUSALS

If either judge has a conflict in a case and recuses, then that case is transferred to the other division and will be heard by that judge unless he has a conflict. The last judge to recuse will be responsible for contacting the Supreme Court to request an assignment of a judge. The trial court assistant for the recusing judge will assist the assigned judge in contacting the attorneys and setting the time and place for any and all hearings that may be necessary.

Judge Yeargan is related by marriage to attorneys George Steel, Jr., and Nate Steel of Nashville, and George Matteson of Texarkana.

In order to avoid any conflicts, any cases filed by these attorneys shall be automatically assigned to Division one. The next case filed, without a conflict, that normally would be assigned to Division one will then be assigned to Division two in order to equalize the number of cases for each judge. Any cases previously filed in Division two in which these attorneys subsequently enter their appearance will be transferred to Division one.

Mr. Nate Steel no longer serves as deputy prosecuting attorney in Howard County and therefore Judge Cooper and Judge Yeargan will divide all criminal and juvenile cases equally, as well as all probate cases in the district

ENHANCED JURY LIST

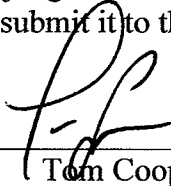
After discussions with and approval from all the Clerks in the district, we decline the use of the enhanced jury list pursuant to Arkansas Code Ann. 16-32-303(b).

ADMINISTRATIVE JUDGE

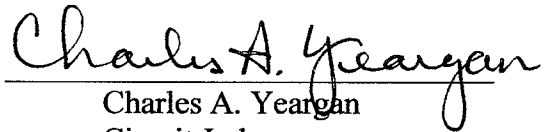
Pursuant of Administrative Order 14, the judges of the Ninth West Judicial District agree to alternate the position of Administrative Judge every two years. Judge Cooper will serve as Administrative Judge for 2011 and 2012, and then alternate with Judge Yeargan every two years thereafter.

APPROVAL

The judges of the Ninth West Judicial District hereby approve this amended administrative plan and submit it to the Arkansas Supreme Court for its approval this 3rd day of January, 2011.



Tom Cooper
Circuit Judge
Division One



Charles A. Yeargan
Circuit Judge
Division Two